

**STATE OF LOUISIANA
DEPARTMENT OF CIVIL SERVICE
BATON ROUGE, LA.**

October 23, 2007

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**STATE PERSONNEL MANUAL
TRANSMITTAL SHEET
NO. 440**

To: HEADS OF STATE AGENCIES AND PERSONNEL OFFICERS

Subject: Correction to Alphabetic Letter on Page 20.45 on Transmittal 439

Issue Date: October 23, 2007

This is a correction to a page included in the previous Transmittal Number 439. There were no changes in the rules located on Page 20.45, only a correction to the last alphabetic letter on the page from (a) to (b).

<u>REMOVE</u>		<u>INSERT</u>	
<u>Page</u>	<u>T/S</u>	<u>Page</u>	<u>T/S</u>
20.45	372	20.45	372
20.46	374	20.46	439

If there are any questions regarding the subject matter in this transmittal sheet, please call the Program Assistance Division at (225)342-8274.

Sincerely,

s/Anne S. Soileau
Director

- (b) No applicant hired to a provisional appointment is eligible for another provisional appointment for a period of one year from the termination of the previous provisional appointment.
- (c) The appointing agency is responsible for providing the terms and conditions of the temporary provisional appointment to the applicant; and both the agency and applicant are jointly accountable for having the applicant tested.

8.13 Cancellation of Eligibility for Appointment.

- (a) The Director may cancel the employment eligibility of any applicant, or of any employee serving with other than permanent status following certification or employment if
 - 1. His employment in the classified service would be prohibited by law; or
 - 2. His conduct has been infamous or disgraceful or if he
 - 3. Is found to lack any of the qualifications prescribed as requirements for admission to the tests for the class for which he has applied or been examined or to which he has been appointed; or
 - 4. Is physically unfit to effectively perform the duties of a position of the class; or
 - 5. Is addicted to the habitual use of drugs or intoxicating liquors to excess; or
 - 6. Has been adjudged guilty by a court of competent jurisdiction of a crime involving moral turpitude; or
 - 7. Has been dismissed from the public service for delinquency or misconduct or has been permitted to resign in lieu thereof; or
 - 8. Has made a false statement of any material fact or has practiced or attempted to practice deception or fraud in his application or examination or otherwise in securing or attempting to secure eligibility for appointment for either himself or others; or
 - 9. Has been scheduled by the Director to compete in the examination for which he has made application and been so notified, and has failed to report for and compete in such examination.
- (b) An applicant whose employment eligibility has been cancelled under this Rule shall be notified promptly by the Director.

20.46 (Rule 8.13 Cancellation of Eligibility for Appointment - continued)

- (c) Having cancelled the employment eligibility of an employee in accordance with the provisions of this Rule, the Director shall so notify the employee and his appointing authority, and his appointing authority shall terminate his employment forthwith.

8.14 Job Appointment.

- (a) An appointing authority may use a job appointment to fill a position for a period not to exceed three years.

For rational business reasons, an appointing authority may request a longer term job appointment. The Commission may approve such requests or delegate approval authority to the Director.

An agency shall maintain written justification stating the reason for the job appointment, as well as justification for any extension requested and a copy of the approval. This rule is subject to Rules 17.16(b)4 and 17.26 concerning layoff-related job appointments.

- (b) REPEAL

- (c) Job appointments may be made:

1. In accordance with Rule 8.4(d) [range of eligible scores];
2. In accordance with Rule 8.9 [five highest grade groups];
3. On the basis of Rule 7.20 [non-competitive classes];
4. On the basis of Rule 8.18(a) [non-competitive reemployment eligibility];
5. In the absence of five available eligibles on an appropriate list, the Director may authorize the appointment of any person who possesses the qualifications as stated on the official specification for that job.

- (d) REPEAL AND REENACT IN RULE 8.14(c)

- (e) The Director may issue policy standards for the use of job appointments.

- (f) An appointing authority may terminate a job appointment at any time.

- (g) The Commission or Director may, at any time, cancel a job appointment and/or withdraw an agency's authority to make such appointments.

8.15 Transfer

- (a) Subject to the provisions of subsection (d) hereof, a permanent or probationary employee may be voluntarily transferred from any position in the classified service in one department to any position in the classified service for which he is qualified in another department upon the recommendation of the appointing authority of the receiving department, provided the employee meets the qualification requirements of the job to which he is transferring and has met Civil Service requirements for testing and competition.